

REMARKS/ARGUMENTS

The Office Action mailed March 26, 2007 has been received and the Examiner's comments carefully reviewed. Claims 1, 40-42 and 44-61 are rejected. Claims 1, 40-42 and 61 have been amended. For at least the following reasons, Applicants respectfully submit that the pending claims are in condition for allowance.

Examiner Interview – April 26, 2007

A telephonic interview was held on April 26, 2007. The Applicants thank Examiner Nguyen for his time. During the interview, a brief background was provided and the art of record as applied to Claim 1 was discussed. An agreement as to allowability was not reached. Applicants agreed to further amend the claims to clarify the invention.

Claim Rejections

Claims 40-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lorang et al (US Pat No. 5,548,814) in view of Gaskill et al (US 5,301,358). Claims 1 and 42 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lorang in view of Gaskill and further in view of Miyaki et al (US Pat No. 5,903,618). Claims 44-61 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lorang in view of Gaskill and Miyaki, and further in view of Chadwick et al (US 5,442,646). In order to expedite the prosecution of this matter, the Applicants have amended the claims to more clearly define the invention.

As amended, Claim 1 recites in part “transmit from a signal processing unit receive commands that describe a receive frequency, antenna tuning parameters, and a duration of

capture time; and adjust a variable tuning element to tune the antenna assembly in response to the receive commands.”

With regard to Claim 1, the Office Action states that “Lorang fails to teach a variable tuning antenna for the mobile paging device. However, Gaskill teaches a variable tuning antenna for a mobile device (see Abstract, Fig. 1), wherein the antenna is periodically retuned during a listener interval, prior to the receipt of a packet of information” (Office Action, page 3). Gaskill teaches that “[i]n the tuning mode, the control circuit 16 sweeps the varactor biasing voltage over its full range and determines which bias voltage yields the maximum received signal strength.” (column 4, lines 37-40). Gaskill further teaches that “[t]his voltage is applied to the varactors until the listening interval terminates” (column 8, lines 47-48). In other words, Gaskill teaches that the antenna is tuned to the frequency in which the largest signal is detected. Thus, rather than receiving commands that specify a receive frequency, Gaskill simply tunes the antenna to any frequency in which the largest signal is detected. Additionally, Gaskill does not teach or suggest that the antenna tuning is responsive to a transmitted duration of capture time. Instead, Gaskill simply teaches a fixed 35 millisecond listening interval (column 5, line 55). Since Gaskill does not teach or suggest transmitting from a signal processing unit receive commands that describe a receive frequency, antenna tuning parameters, and a duration of capture time and adjusting a variable tuning element to tune the antenna assembly in response to the receive commands, Claim 1 is proposed to be allowable.

As amended, Claim 40 recites in part “transmit from a signal processing unit receive commands that describe a receive frequency, antenna tuning parameters, and a duration of

capture time; and adjust a variable tuning element configured to tune the antenna in response to the receive commands.” For at least the reasons presented above, Claim 40 is proposed to be allowable.

As amended, Claim 41 recites in part “transmit from a signal processing unit receive commands that describe a receive frequency, antenna tuning parameters, and a duration of capture time; and adjust a variable tuning element configured to tune the antenna in response to the receive commands.” For at least the reasons presented above, Claim 41 is proposed to be allowable.

As amended, Claim 42 recites in part “transmit from a signal processing unit receive commands that describe a receive frequency, antenna tuning parameters, and a duration of capture time; and adjust a variable tuning element configured to tune the antenna in response to the receive commands.” For at least the reasons presented above, Claim 42 is proposed to be allowable.

As amended, Claim 61 recites in part “transmit from a signal processing unit receive commands that describe a receive frequency, antenna tuning parameters, and a duration of capture time; and adjust a variable tuning element configured to tune the antenna in response to the receive commands.” For at least the reasons presented above, Claim 61 is proposed to be allowable.

Conclusion

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.



Timothy P. Sullivan
Registration No. 47,981
Direct Dial: 206.342.6254

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

